

Adam C. Dawson (State Bar No. 136551)
adawson@fbm.com

Farella Braun + Martel LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480

Attorneys for Defendants and Cross-Complainants
HARSCH INVESTMENT REALTY LLC,
SERIES C; and JAMESTOWN HARSCH
ALAMEDA TOWNE CENTRE, LP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CAROLYN MARTIN,

Plaintiff,

vs.

KOHL'S DEPARTMENT STORES, INC.;
HARSCH INVESTMENT REALTY LLC,
SERIES C; JAMESTOWN HARSCH
ALAMEDA TOWNE CENTRE, LP, a
Delaware Limited Partnership; and DOES
1-25, inclusive,

Defendants.

AND RELATED CROSS-ACTION.

Case No. C-10-05195 JSW

**STIPULATED REQUEST FOR
DISMISSAL WITH PREJUDICE OF
CROSS-COMPLAINT FILED BY
DEFENDANTS HARSCH INVESTMENT
REALTY LLC, SERIES C AND
JAMESTOWN HARSCH ALAMEDA
TOWNE CENTRE, LP;**

**[PROPOSED] ORDER GRANTING
DISMISSAL WITH PREJUDICE**

Complaint Filed: November 16, 2010

Defendant and Cross-Defendant Kohl's Department Stores, Inc. ("Kohl's"), and
Defendants and Cross-Complainants Harsch Investment Realty LLC, Series C ("Harsch"), and
Jamestown Harsch Alameda Towne Centre, LP ("Jamestown") (collectively "Defendants"),
stipulate and agree through their respective counsel, and hereby request the Court to dismiss the
cross-action filed by Harsch and Jamestown against Kohl's with prejudice pursuant to Federal
Rule of Civil Procedure 41(a)(2), with each party to bear its own costs, attorneys' fees, and other
expenses arising from or relating to the cross-complaint.

**STIPULATED REQUEST FOR DISMISSAL
WITH PREJUDICE -- C-10-05195 JSW**

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: October 30, 2012

FARELLA BRAUN + MARTEL LLP

I represent that concurrence in the filing of this document has been obtained from each of the other signatories which shall serve in lieu of their signatures on this document.

By: /s/ Adam C. Dawson

Adam C. Dawson

Attorneys for Defendants and Cross-Complainants

HARSCH INVESTMENT REALTY LLC,
SERIES C, and JAMESTOWN HARSCH
ALAMEDA TOWNE CENTRE, LP

Dated: October 30, 2012

K&L GATES LLP

By: /s/ Timothy L. Pierce

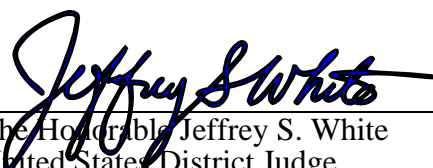
Timothy L. Pierce

Attorneys for Defendants and Cross-Defendants

KOHL'S DEPARTMENT STORES, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 31, 2012



The Honorable Jeffrey S. White
United States District Judge